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10757250 **Application Number** 2004-01-14 Filing Date INFORMATION DISCLOSURE First Named Inventor Levine et al. STATEMENT BY APPLICANT 2192 **Art Unit** (Not for submission under 37 CFR 1.99) Kendall, Chuck O. Examiner Name · AUS920030488US1 Attorney Docket Number

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/C.K./	3	6189142	B1	2001-02-13	Johnston et al.	
/C.K./	4	5768500		1998-06-16	Agrawal et al.	
/C.K./	5	6026235		2000-02-15	Shaughnessy	
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Application Number 10757250 Filing Date 2004-01-14 First Named Inventor Levine et al. Art Unit 2192 Examiner Name Kendall, Chuck O. Attorney Docket Number AUS920030488US1

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Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publica Date	tion	Name of Pate of cited Docu	entee or Applicant ment	Relev	s,Columns,Line ant Passages (es Appear	es where or Relev	ant
/C.K./	1	20020073406	A1	2002-06	i-13	Gove					
/C.K./	· 2	20030066055	A1	2003-04	1-03	Spivey					
/C.K./	3	20030131343	A1	2002-07	7-10	French et al.				· · · · · · · · · · · · · · · · · · ·	
/C.K./	4	20040268316	A1	2004-12	2-30	Fisher et al.	•				
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Application Number		10757250			
Filing Date		2004-01-14			
First Named Inventor	Levin	ne et al.			
Art Unit	•	2192			
Examiner Name Ken		fall, Chuck O.			
Attorney Docket Number		AUS920030488US1			

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/C.K./	1 .	6105129		2000-08-15	Meier et al.		
/C.K./	2	6928521	B1	2005-08-09	Burton et al.		
/C.K./	3	6598153	B1	2003-07-22	Flachs et al.		
/C.K./	4	5875294		1999-02-23	Roth et al.		
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/C.K./	8	6145077		2000-11-07	Sidwell et al.		

Application Number		10757250			
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Examiner Name	Ker	ndall, Chuck O.			
Attorney Docket Number		AUS920030488US1			

/C.K./	9	6865666	B2	2005-03	-08	Yoshida et al.	- -				
/C.K./	10	5590352		1996-12	-31	Zuraski et al.					
/C.K./	11	6199204	B1	2001-03	-06	Donohue					
/C.K./	12	6202207	B1	2001-03	-13	Donohue	,			_	
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/C.K./	1	20050257092	A1	2005-11	I- 1 7	Alexander et al	i.				
/C.K./	2	20050177822		2005-08	J-22	Kuch et al.	•		,		
/C.K./	3	20030041096	A1	2003-02	2-27	Johnson					
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10757250 Application Number 2004-01-14 Filing Date INFORMATION DISCLOSURE Levine et al. **First Named Inventor** STATEMENT BY APPLICANT Art Unit 2192 (Not for submission under 37 CFR 1.99) **Examiner Name** Kendall, Chuck O. AUS920030488US1 Attorney Docket Number If you wish to add additional Foreign Patent Document citation information please click the Add button Remove **NON-PATENT LITERATURE DOCUMENTS** Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item Examiner Cite Ţ5 (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), Initials* No publisher, city and/or country where published. П If you wish to add additional non-patent literature document citation information please click the Add button **EXAMINER SIGNATURE** 05/21/2008 **Date Considered** /Chuck Kendall/ **Examiner Signature** *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. 2 Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). 3 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 4 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 5 Applicant is to place a check mark here if English language translation is attached.

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Application Number	10/757,250							
Filing Date	01-14-2004							
First Named Inventor	Levine et al.							
Examiner Name	Kendall, Chuck O.							
Art Unit	2192							
Attorney Docket No.	AUS920030488US1							

Examir Initial			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
C.K./	AA	6,149,318	11-21-2000	Chase et al.	·
C.K./	AB	6,185,671 B1	02-06-2001	Pentovski et al.	
C.K./	AC	6,247,113 B1	06-12-2001	Jaggar	
C.K./	AD	6,460,135 B1	10-01-2002	Suganuma	
C.K./	AE	2003/0126590 A1	07-03-2003	Burrows et al.	
C.K./	AF	6,842,850 B2	01-11-2005	Ganapathy et al.	
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Exam Init	iner	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear							
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Date Considered:

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Attorney Docket Numb	er	AUS920030488US1	
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/C.K./	4	5768500		1 9 98-06-16	Agrawal et al.			
/C.K./	5	6026235		2000-02-15	Shaughnessy			
/C.K./	6	5950003		1999-09-07	Kaneshiro et al.			
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Examiner Name	Kendall, Chuck O.
Attorney Docket Numb	er AUS920030488US1

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Attorney Docket Number		AUS920030488US1			

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	Application Number		10757250	
	Filing Date		2004-01-14	
INFORMATION DISCLOSURE	First Named Inventor Levir		vine et al.	
STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit		2192	
(Not for Submission under 37 Of K 1.33)	Examiner Name	Kendall, Chuck O.		
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/C.K./	6	6871298	B1	2005-03-22	Cavanaugh et al.	
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10757250 **Application Number** Filing Date 2004-01-14 INFORMATION DISCLOSURE First Named Inventor Levine et al. STATEMENT BY APPLICANT Art Unit 2192 (Not for submission under 37 CFR 1.99) **Examiner Name** Kendall, Chuck O. AUS920030488US1 Attorney Docket Number Add If you wish to add additional Foreign Patent Document citation information please click the Add button Remove **NON-PATENT LITERATURE DOCUMENTS** Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item Cite Examiner **T**5 (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), Initials* No publisher, city and/or country where published. \Box If you wish to add additional non-patent literature document citation information please click the Add button **EXAMINER SIGNATURE** 05/21/2008 /Chuck Kendall/ **Date Considered** Examiner Signature *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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(Not for submission under 37 CFR 1.99)

Application Number		10757250			
Filing Date		2004-01-14			
First Named Inventor Levin		e et al.			
Art Unit		2192			
Examiner Name	Kend	all, Chuck O.			
Attorney Docket Number		AUS920030488US1			

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OR				
X	That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).			
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Signature		/Francis Lammes/	Date (YYYY-MM-DD)	2007-01-23
Name/Print		Francis Lammes	Registration Number	55353

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